

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Commercial Taxes Department - Sri ABG Tilak, formerly Assistant Commercial Tax Officer, O/o Commercial Tax Officer, Gudivada (now retired) - Adverse media report reported by ETV and Eenadu - Departmental action initiated - Charges proved - Imposition of penalty of one increment with cumulative effect issued by the Deputy Commissioner (Commercial Taxes), Vijayawada-I after retirement - Void - Setting aside the orders of Deputy Commissioner (Commercial Taxes), Vijayawada - Orders - Issued.

REVENUE (VIGILANCE - I) DEPARTMENT

G.O.Rt.No. 825

Dated:26-05-2012.
Read the following:

1. Proceedings of the Deputy Commissioner (Commercial Taxes), Vijayawada-I Division, Rc.A1/611/2004, Dt.13.10.2004.
2. Assistant Commissioner, Commercial Taxes (Intelligence), Vijayawada- I Division, Rc.No.A1/611/2004, Dt.26.12.2006.
3. Proceedings of the Deputy Commissioner (Commercial Taxes), Vijayawada-I Division, Rc.A1/232/2004, Dt.31.07.2007.
4. From CCT's Ref.No.V3/686/2008, dt.28.5.2008 and 31.01.2012.

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ORDER:

In the reference 1st read above, the Deputy Commissioner (Commercial Taxes), Vijayawada-I Division issued article of charges against Sri ABG.Tilak, formerly Assistant Commercial Tax Officer (now Retd.), who is alleged to have run an observation point and checked the goods vehicles round the clock at Tiruvuru unauthorisedly without obtaining prior permission from the higher authorities. In the reference 2nd read above, the enquiry officer, have conducted enquiry in the above case, furnished an Inquiry Report to the Deputy Commissioner (Commercial Taxes), Vijayawada-I Division and among others, found that out of 4 charges 2 charges are held proved against Sri ABG Tilak, Assistant Commercial Tax Officer (Retired).

2. In the reference 3rd read above, the Deputy Commissioner (Commercial Taxes), Vijayawada-I Division awarded the major penalty of stoppage of one annual grade increment with cumulative effect against Sri A.B.G.Tilak, Assistant Commercial Tax Officer (Retd.), consequent to the charges framed against him being proved in the enquiry.

3. In the reference 4th read above, the Commissioner of Commercial Taxes, AP, Hyderabad, while furnishing the copies of Article of Charges, explanation of Sri ABG Tilak, Assistant Commercial Tax Officer (Retd) and Inquiry Report in the case, has stated that the Deputy Commissioner (Commercial Taxes), Vijayawada-I Division awarded a major penalty of stoppage of one annual grade increment with cumulative effect against Sri A.B.G.Tilak, Assistant Commercial Tax Officer (Retd.), consequent upon charges framed against him being held proved in enquiry and warnings were issued in case of the remaining five other staff members. The penalty imposed by the Deputy Commissioner (Commercial Taxes), after retirement of the Assistant Commercial Tax Officer, is not valid and cannot be ratified and with regard to others also the matter involves a Vigilance angle and requested to take action against Assistant Commercial Tax Officer under APRP Rules and orders in respect of other charged officers.

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4. Government have examined the matter and observe that out of (4) charges, two charges viz., payment of telephone charges from his pocket and utilizing Office Staff for Official Purposes were held proved against Sri ABG.Tilak, Assistant Commercial Tax Officer (Retd.) appear to be without much substance. For utilizing the Office Staff for Official purposes there was no need for any permission. If the Reporting Authority ie., Commercial Tax Officer had any objection to the same he should have questioned the Delinquent Officer, but he did not choose to do so in the matter. Similarly no irregularity is involved in taking a telephone connection for which he personally paid the bills. Keeping in view the circumstances, there was no reason for punishing the Accused Officer. It is also observed that the orders of the Deputy Commissioner (Commercial Taxes), after the retirement of the Accused Officer is void as per A.P. Revised Pension Rules, 1980 and is liable to be set aside.

5. In the above circumstances the Government, after careful consideration of the matter, hereby set aside the punishment orders imposed by the Deputy Commissioner (Commercial Taxes), Vijayawada -I Division vide reference 3rd read above and exonerate the Accused Officer Sri ABG Tilak, Assistant Commercial Tax Officer (Retired) from the charges.

6. The Commissioner of Commercial Taxes, A.P, Hyderabad shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
Sri ABG. Tilak, Assistant Commercial Tax Officer (Retired),
O/o Commercial Tax Officer, Gudivada.
through the Commissioner of Commercial Taxes, A.P, Hyderabad.
The Commissioner of Commercial Taxes, A.P, Hyderabad.
The Deputy Commissioner, CT, Vijayawada-I Division, Hyderabad.
Copy to:
The PS to Principal Secretary to Government, Revenue Department.
The Revenue (CT.I) Department.
SF.

//Forwarded :: By Order //

SECTION OFFICER.